



JC17 Re PCT/PTO 24 MAY 2001

PC #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Paul G. Jost-Brinkmann et al.  
FOR : **DENTAL FLOSS HOLDER**  
SERIAL NO. : 09/786,615  
FILED : March 6, 2001  
EXAMINER : Unknown  
ART UNIT : Unknown  
ATTORNEY DOCKET NO. : HMN 2 0014

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION UNDER 37 CFR 1.53(d)**

Box Missing Part  
Assistant Commissioner of Patents  
Washington, D. C. 20231

Dear Sir:

Responsive to the Notification of Missing Requirements mailed April 30, 2001 on the above-captioned patent application, a "Declaration For Patent Application" is enclosed herewith.

The enclosed Declaration has been duly executed by the inventor(s) identified in those papers originally filed with the application.

A check in the amount of sixty-five dollars (\$ 65.00) is enclosed to cover the surcharge required under 37 CFR 1.16(e) for filing the Declaration later than the filing date of the application itself.

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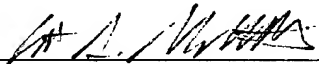
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Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308.

The foregoing submissions are believed to meet the requirements of the Notice to File Missing Parts, and the applicant awaits further action on the application from the Patent and Trademark Office.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

  
\_\_\_\_\_  
Scott A. McCollister  
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**EXPRESS MAIL CERTIFICATE**

I hereby certify that this Response to Notice of Missing Requirements is being deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner For Patents, Washington, D.C. 20231 on

MAY 22, 2001

  
\_\_\_\_\_  
Georgeen B. George

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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786615	JOST-BRINKMANN	P HMN 2 0014
INTERNATIONAL APPLICATION NO.		
PCT/EP99/06573		

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I.A. FILING DATE	PRIORITY DATE
07 SEP 99	07 SEP 98

DATE MAILED: 30 APR 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

- The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
 

<input checked="" type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Indication of Small Entity Status.
<input checked="" type="checkbox"/> Copy of the international application.	<input checked="" type="checkbox"/> Translation of the international application into English.
<input type="checkbox"/> Oath or Declaration of inventors(s).	<input type="checkbox"/> Translation of Article 19 amendments into English.
<input type="checkbox"/> Copy of Article 19 amendments.	<input checked="" type="checkbox"/> Other: IB 331, 308, 304, 301, 332, RO 101, ISA/210, PRE'L. AMENDMENT
<input checked="" type="checkbox"/> Priority Document.	
<input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.	
<input checked="" type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.	
- ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
 

<input type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Copy of the international application.
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- The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
 

<input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
<input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
<input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
<input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
<input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
<input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
- Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
- ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Christine S. Washington

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3752